

# **Fee Processing** (For Petitions Use Only)

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| <b>App. No./Pat No.</b>          |
| 09/964882                        |
| <b>Atty Docket No./Cust. No.</b> |
| 026880,00819                     |
| <b>Paper Rec'd Date</b>          |
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PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                    |
|------------------------|--------------------|
| Application Number     | 09/964,882         |
| Filing Date            | September 28, 2001 |
| First Named Inventor   | John HENDRICKS     |
| Group Art Unit         | 2137               |
| Examiner Name          | Tamara TESLOVICH   |
| Attorney Docket Number | 026880-00019       |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisions Application Practice, Final Rule, 65 Fed. Reg. 68002 (Aug. 10, 2000); interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000); 1200 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Preliminary Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition to Withdraw Patent Application from Issue After Payment of Issue Fee under 37 C.F.R. 1.313

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, fee deficiency or credit any overpayments, to Deposit Account No. 01-2300 referencing Attorney Docket No. 026880-00019.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$790.00)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Petition Fee (\$130.00)
- b. ☐ Check in the amount of \_\_\_\_\_

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

|                   |                     |                                   |                |
|-------------------|---------------------|-----------------------------------|----------------|
| Name (Print/Type) | Sherese T. Rowe     | Registration No. (Attorney/Agent) | 59,068         |
| Signature         | <i>Sherese Rowe</i> | Date                              | March 16, 2007 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

TECH/491877.1